IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

Bail Appl..No. 737 of 2007()

CMP.522/2007 of J.M.F.C.-II,PATHANAMTHITTA
.....

(AGAINST KONNY EXCISE RANGE C.R.NO.30/2006)

PETITIONER/2ND ACCUSED.

ANOOP, MAMBILAVIL VEEDU,
MALAYALAPUZHA, PUTHUKULAM.

BY ADV. SRI.S.SANTOSH KUMAR (PERUNAD)

RESPONDENT: COMPLAINANT.

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 737 OF 2007 B

Dated this the 21st day of February, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the 2nd accused in C.R. No.30/2006 of Konni Excise Range for offences punishable under Secs.8 (1) and 8(2) of the Abkari Act for allegedly having been transported on his motor cycle 44 liters of illicit arrack on 8.8.2006 and who was arrested on 20.1.2007, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 1.3.2007 on his executing a bond for Rs. 35,000/- (Rupees thirty five thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Pathanamthitta and subject to the following conditions:

a. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

c. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

d. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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